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Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of the Commission's Rules) RM 8614
Regarding Unbundling of Local Exchange)
Carrier Line Facilities)

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Reply Comments of Bell Atlantic¹

All of the state regulators commenting on the petition² supported Bell Atlantic's view that the relief sought by MFS is appropriately addressed by individual states, not by the Commission.³ These state regulators confirmed that states "are fully capable of examining and resolving" any legitimate issues raised by MFS.⁴ Moreover, the local regulators confirmed that the

¹ The Bell Atlantic telephone companies ("Bell Atlantic") are Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, D.C., Inc.; Bell Atlantic-West Virginia, Inc.

² MFS Communications Co. Petition for Rulemaking (filed March 7, 1995) ("MFS Petition").

³ Comments of the Pennsylvania Public Utility Commission at 2 ("PA Comments") ("The FCC's resources should not be needlessly diverted to matters outside of its jurisdiction."); Comments of the Maryland Public Service Commission at 5 ("Maryland Comments") ("The MFS Petition for Rulemaking should be denied in favor of allowing states to resolve these unbundling issues."); New York State Department of Public Service Comments in Opposition to Request for Rulemaking at 3 ("NY Comments") ("In effect, MFS is asking the Commission to preempt state authority over local service, and to do so only in states that are moving ahead."); Opposition of the National Association of Regulatory Utility Commissioners ("Even the artfully crafted language of the MFS petition cannot obscure the intrastate focus of the MFS petition.").

⁴ Maryland Comments at 5.

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relief sought by MFS was self-serving,⁵ inappropriate⁶ and unnecessary.⁷ Significantly, it was recognized that MFS's contention that wireless and cable are not feasible alternatives to the local loop is "incorrect and out of step with the recent changes in the telecommunications market."⁸

While MFS's petition seeks unlawful and unwise relief, other parties do raise important issues that can and should be addressed by the Commission elsewhere. For example, the Pennsylvania Commission calls for a rulemaking "to address how the interstate SLC and CCLC will be assessed and calculated in the future . . ."⁹ It would be appropriate to include these interstate issues in a broad Commission proceeding on access reform.¹⁰ This petition, however, seeks Commission action on intrastate matters, and should be rejected in its entirety.

⁵ See Maryland Comments at 8 ("MFS requests the same price to cost ratio as the bundled exchange access. This implies that rates for unbundled loops for MFS may not recover BA-MD's costs").

⁶ "[T]he approach proposed by MFS will, in fact, delay the further development of competition in states that have already acted and will do little to advance competition in areas where it has not yet developed." New York Comments at 1-2.

⁷ "Petitioner has not shown that inconsistent State decision (if there are any) have somehow burdened the Petitioner in the provision of interstate service." PA Comments at 8.

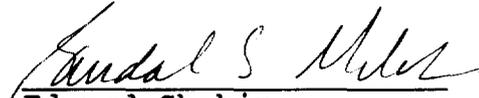
⁸ Maryland Comments at 11.

⁹ PA Comments at 2.

¹⁰ The Commission already has longstanding petitions before it that are sufficiently broad to reach these interstate pricing issues, and are not burdened by the defects of the present petition. See *Reform of the Interstate Access Charge Rules*, United States Telephone Association Petition for Rulemaking, RM-8356 (filed Sept. 17, 1993).

Respectfully submitted,

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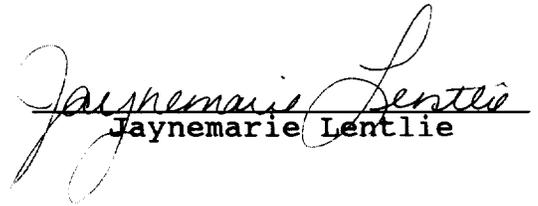
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April 25, 1995

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply Comments of Bell Atlantic" was served this 25th day of April, 1995 by first class mail, postage prepaid, on the parties on the attached list.


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